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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-0626 JF
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING AND EXCLUDE TIME;
v.)	[PROPOSED] ORDER
)	
SUNG HO CHOI,)	
)	
Defendant.)	
_____)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the Court's approval, the hearing in the above-captioned matter, presently scheduled for Thursday, April 29, 2010 at 9:00 a.m., be continued to Thursday, May 6, 2010, at 9:00 a.m. The continuance is requested because the defense requires additional time to review a proposed plea agreement with Mr. Choi with the assistance of an interpreter and to discuss the proposed plea agreement with the government.

The parties further agree that time should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), because the defense requires time for effective preparation and investigation, and the ends of justice outweigh the defendant's and the public's need for a speedy trial.

1
2 Dated: 4/26/10

/s/

LARA S. VINNARD
Assistant Federal Public Defender

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4 Dated: 4/27/10

/s/

THOMAS MOORE
Assistant United States Attorney

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6
7 **~~[PROPOSED]~~ ORDER**

8 The parties have jointly requested a continuance of the hearing set for Thursday, April 29,
9 2010, to allow time for effective defense preparation.

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
11 presently set for Thursday, April 29, 2010, be continued to Thursday, May 6, 2010, at 9:00 a.m.

12 Pursuant to the parties' stipulation, and based on the defense's need for additional time
13 fore effective preparation, the Court finds that the ends of justice served by the granting of the
14 continuance outweigh the best interests of the public and the defendant in a speedy trial.

15 Accordingly, IT IS FURTHER ORDERED that the period of time from April 29, 2010, to
16 Thursday, May 6, 2010, shall be excluded from the period of time within which trial must
17 commence under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A).

18 Dated: 4/27/10



JEREMY FOGEL
United States District Judge